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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 00-064

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

1. Statutory Authority

It is assumed that the examining board is promulgating these rules upon the advice of the professional geologist section, the professional hydrologist section and the professional soil scientist section per s. 470.03 (1), Stats. This should be noted in the analysis.

2. Form, Style and Placement in Administrative Code

a. Both the relating clause and the analysis refer to “educational and experience requirements prior to sitting for the fundamentals examination.” While the experience requirements treated by the draft can be substituted for educational requirements, it may be misleading to refer to “educational” requirements.

b. The relating clause should also refer to required examinations.

c. The analysis refers to amendments of a “housekeeping nature.” It appears that the revision of the experience requirements treated by the rule from five years to four years is substantive, not housekeeping.

d. The analysis refers to amendments that relate to the “clarity and grammar” of the current rules. While SECTIONS 1, 3 and 5 in some respects improve clarity, they do not relate to the grammar of the current rules.

4. Adequacy of References to Related Statutes, Rules and Forms

a. It appears that in the analysis, reference to s. 470.04, Stats., should be included in the list of statutes interpreted.

b. Should ss. GHSS 2.06 (7) (d) and 4.05 (7) (d) be amended or repealed by the rule? Each contains reference to the examination on the elements of practice essential to the public health, safety or welfare.

5. Clarity, Grammar, Punctuation and Use of Plain Language

The third paragraph of the analysis, describing SECTIONS 2 and 4 of the rule, is awkwardly drafted.